

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 04-3984

Smith

vs.

Weaver, et al.

Kim Smith, Appellant

(Middle District of Pennsylvania Civil No. 01-cv-00817)

O R D E R

Pursuant to Rule 3(a) of the Federal Rules of Appellate Procedure and Third Circuit LAR Misc. 107.2,

It is O R D E R E D that the above-entitled case is hereby dismissed for failure to timely prosecute;

It is FURTHER O R D E R E D that a certified copy of this order be issued forthwith as the mandate.

A True Copy:

*Marcia M. Waldron*

Marcia M. Waldron,  
Clerk

For the Court,

*Marcia M. Waldron*

Clerk

Date: November 3, 2004

cc: Kim Smith ###CT-2162  
John J. Talaber, Esq.  
Samuel H. Foreman, Esq.  
James D. Young, Esq.  
Robert G. Hanna Jr., Esq.